

BOARD OF APPEALS CASE NO. 5336

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BEFORE THE

APPLICANT: Janet M. Kirman and  
Harford County Government

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ZONING HEARING EXAMINER

REQUEST: Interpretation to correct a mapping  
error; 610 Joppa Farm Road, Joppa

\*

OF HARFORD COUNTY

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Hearing Advertised

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Aegis: 3/26/03 & 4/2/03

HEARING DATE: May 5, 2003

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Record: 3/28/03 & 4/4/03

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## **ZONING HEARING EXAMINER'S DECISION**

The Applicants, Janet M. Kirman and Harford County Government, are requesting an interpretation, pursuant to Section 267-10D of the Harford County Code, to correct a mapping error that occurred in the 1982, 1989 and 1997 zoning maps and allow remapping and designation of the subject parcel as B2/Community Business District instead of the erroneous present designation of R4/Urban Residential District.

The subject parcel is located at 610 Joppa Farm Road, Joppatowne, MD and is more particularly identified on Tax Map 69, Grid 1A, Parcel 66. The parcel consists of 0.507± acres, is presently zoned R4 and is entirely within the First Election District.

Mr. Anthony McClune, Chief of Current Planning for the Department of Planning and Zoning, was the only witness to appear. The history of the zoning of the property is as follows, and, according to Mr. McClune, clearly indicates that a mapping error occurred in 1982 that was perpetuated erroneously in 1989 and again in 1997.

**1965** – The parcel was zoned B2/Community Business District. Shortly thereafter, the parcel was improved by and has been used as a U.S. Post Office until recently.

**1982** – During the Comprehensive Rezoning process a mapping error occurred that re-designated the parcel as R4/Urban Residential. This parcel was not rezoned at the request of the owner nor do the logs of the Comprehensive Rezoning process indicate that this parcel was an issue before the County Council. There was, in 1982 a large adjoining R4 District which apparently accounts for the mapping mistake.

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**1989 and 1997** – The mapping error was not identified during either of these comprehensive zoning reviews nor was the property an identified issue during either of those review processes. The mapping error that occurred in 1982 simply continued undetected.

**2003** – The U.S. government has built a new post office to serve the Joppatowne community and the old use at the subject location is being abandoned. As a result of the owner's inquiry regarding new uses for the parcel, the mapping error was discovered for the first time.

### **CONCLUSION**

The Applicants, Janet M. Kirman and Harford County Government, are requesting an interpretation, pursuant to Section 267-10D of the Harford County Code, to correct a mapping error that occurred in the 1982, 1989 and 1997 zoning maps and allow remapping and designation of the subject parcel as B2/Community Business District instead of the erroneous present designation of R4/Urban Residential District.

Harford County Code Section 267-10D provides:

“Interpretation of Zoning Map.

The Board, upon application therefor, after notice to the owners of the properties affected and public hearing, may render interpretation of the boundaries of a zoning district by:...

- D. Map errors: permitting adjustment of any boundary line to conform to the intent of the comprehensive rezoning and that said adjustment is necessary to rectify a map-drafting error which occurred during the comprehensive rezoning process.”

The Hearing Examiner is satisfied that a mapping error occurred in 1982 that has been erroneously perpetuated for 21 years. The subject property is properly zoned B2 and zoning maps should be corrected accordingly.

Date MAY 21, 2003

William F. Casey  
Zoning Hearing Examiner